



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

April 15, 2013

JOHN THATCHER  
KUM AND GO, L.C.  
6400 WESTOWN PARKWAY  
WEST DES MOINES, IOWA 50266

Subject: Kum and Go #4098, 7229 University Avenue, Windsor Heights, Iowa

Dear Mr. Thatcher:

Thank you for the submittal of the Phase II Environmental Site Assessment dated March 20, 2013, conducted on the property referenced above.

The Iowa Department of Natural Resources (IDNR) has reviewed the Phase II Environmental Assessment for evidence suggesting the existence of a hazardous substance. While contaminants have been found, the DNR has not identified evidence suggesting the likely existence of a hazardous condition.

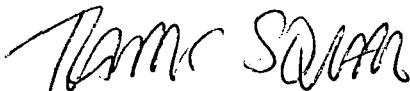
As noted in the report, the site assessment consisted of three soil borings (SB1 through SB3) drilled to a depth of 20 feet. Soil and groundwater samples were collected from each boring. Volatile organic compounds and RCRA metals were detected in the soil samples but none of the concentrations exceeded a standard. Several metals were detected in groundwater onsite at concentrations that exceed the protected groundwater standard. In addition, arsenic in SB1 and SB2 also exceeded the non-protected groundwater standard. Although not specified in the report, it was assumed that the groundwater samples analyzed for RCRA metals were not field filtered; therefore, some of the metals detected in groundwater could be due to the presence of naturally occurring sediments suspended in the groundwater samples.

With consideration of the conditions noted above, the Department does not require any follow-up action based on the Phase II findings. This determination should not be construed to be an endorsement by the DNR that a hazardous condition does not exist on the property. Instead, it is a conclusion by the DNR that available information (without regard to the quality or quantity of that information) does not suggest the likely existence of hazardous condition on the property. Furthermore, this determination does not constitute an endorsement by the DNR as to the appropriateness of any proposed use of the property. If such an endorsement is sought, the property may be enrolled in the Iowa Land Recycling Program (LRP), which would involve a thorough investigation and assessment of risks associated with possible uses of the property (<http://www.iowadnr.gov/InsideDNR/RegulatoryLand/ContaminatedSites/LandRecyclingProgramLRP.aspx>).

Since there are no regulatory requirements for the conduct of Phase I/II Environmental Assessments, the DNR does not approve, reject or otherwise make judgment on the quality or adequacy of Phase I/II Environmental Assessments. Instead the DNR looks at the information provided in a Phase I/II Environmental Assessment in addition to other generally available information about the property (e.g., geology, well location, land use) for evidence of a potential hazardous condition (as defined in 567 Iowa Administrative Code (IAC) Chapter 131). Hazardous conditions are required to be reported to the DNR (567 IAC Chapter 131).

Feel free to contact me if there are any questions, comments, or concerns at 515-281-4420.

Sincerely,



Tami S. Quam  
Environmental Specialist Senior  
Contaminated Sites Section  
Iowa Department of Natural Resources

Cc: Cal Lundberg, Supervisor, Contaminated Sites Section, Iowa Department of Natural Resources  
Nick Halfhill, Kum and Go, L.C., 6400 Westown Parkway, West Des Moines, Iowa 50266  
Jennifer Baker, Seneca Companies, 4140 E. 14<sup>th</sup> Street, Des Moines, Iowa 50313  
Field Office 5, 401 SW 7<sup>th</sup>, Suite 1, Des Moines, Iowa 50309